

Attorney's Docket No. RA-5425
Amendment

Serial No. 10/028,152

REMARKS

The applicant is appreciative of the opportunity to correct any impression that the trademark use may be in any way negative toward those trademarks. As the applicant has built its preferred embodiment from independently functioning software programs that go by the trademarked names cited, it is believed that mention of them in the application is beneficial to the trademark owner since proper ownership is recognized in the application.

Additionally, the suggestion to capitalize them and use them with an encircled R has been taken by way of modification to the claims.

Applicant has removed the sentence fragment from claim 2, believing this will obviate the objection thereto.

Applicant has also removed the offending words "date" (by substitution with "data") from the preamble to claim 1 and the word "substantially" from claim 6, thus believing that the section 112 rejections based on these words will be overcome. Reconsideration is respectfully requested.

The applicant has modified each of the independent claims and several of the dependent claims (leaving only claims 16 and 17 unmodified) to very clearly indicate that the applicant is claiming a set of programs that function together to produce diagrams, where each of the components has an independently operable function without the control program. It is very clear that in the Lewis reference the program components all function together as a unified system, and that there is no independent life for any of the components. Further, Lewis' spreadsheet, in fact is two spreadsheets for a single timing diagram; a library spreadsheet and a parameter spreadsheet (col. 7, lines 5-7). In Lewis, each of these spreadsheets have separate program-like existence, but both of which function together as a part of the single unified system without any independent existence.

In contrast, the applicant has found several programs each of which have totally independent existence (VISIO, VISUAL BASIC, EXCEL) and tied them together using an interpretive VISUAL BASIC procedure and set of command features from VISUAL BASIC. Likewise the applicant has identified the features of such independent programs that could exist in other programs which could also be tied together. A drawing program is needed, a programming language program is needed and a spreadsheet program is needed, and one must be able to get to files of the spreadsheet through use of the programming language, and command the drawing program with commands and data for the drawing program interpreted through the programming language program. Further, the applicant has shown

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that GUIs can be used to set up the spreadsheet to avoid forcing the user to learn details of these commands and data formatting. These objectives are not realized in the cited art.

In further contrast, the applicant claims but a single spreadsheet file per timing chart, unlike Lewis.

The addition of the Microsoft VISIO 2000 reference does not produce or teach the limitations found in the claims either. While it may, *arguendo*, be obvious in hindsight to use VISIO® to produce a timing chart generator controlled via a VISUAL BASIC executable that draws data from a spreadsheet, it is not obvious that it will work before hand, nor is it obvious how to do it from the references, nor is it clear why anyone would want to prior to the instant invention.

Specifically, it is not shown in those two references (Lewis and the VISIO references) how to draw each trace. The applicant has set out a clear VISUAL BASIC interpreter to demonstrate how to do this, and that requires functioning using line by line processing of the data from the spreadsheet. The claims of this application limit themselves to such line by line functioning. Lewis teaches use of two spreadsheets and it is not seen how any line by line operation is relevant to its operation. The VISIO reference does not show such line by line functioning even in its suggested combinations with other programs. Nor does the VISIO reference appear to teach that the spreadsheet program should be functioning to access the file data, nor does it appear to teach that the file should be accessed using a file name. Thus this combination fails to show all the elements of the claims.

The addition of the Yamazaki reference is believed to be not appropriate as it is not related to timing diagrams, and teaches the exact opposite from Lewis so as to make the combination non-viable. Yamazaki is reading from a single table, but Lewis is taking commands and data from two files simultaneously to produce a timing diagram.

The addition of the Gorbet reference is not understood. The reference to spreadsheets appears to be a reference to a link to a data file of any type, not a spreadsheet file name. Gorbet is designed to transport a presentation from one computer to another, so its applicability is not demonstrated.

Accordingly, as Lewis by itself teaches only a unitary program to produce timing charts and relies on two separate spreadsheet files to enable such a function, and as neither Lewis singly nor in combination with the VISIO reference teach line by line interpretation of a spreadsheet to produce each trace of a timing diagram, the limitations of the (now

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amended) claims are not met by the references and reconsideration and withdrawal of the rejection is respectfully solicited.

All of the independent claims being allowable based on the above amendment and argument, the dependent claims should be allowable as well.

Respectfully submitted,



January 4, 2005

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